

DECLARATORY RESOLUTION

NO. 770-1947

For the vacation of the first alley  
west of Calhoun Street from the  
south property line of Berry Street  
to the north property line of the  
alley between Berry Street and  
Wayne Street

Plans ordered: Sept. 4, 1947,  
7:30 P.M.

ADOPTED: Sept. 30, 1947,

ADVERTISED: Oct. 1st-8th, 1947

HEARING: Thurs. Oct. 23, 1947,  
7:30 P.M.

*Assessment roll  
confirmed - 12/18/47*

DECLARATORY RESOLUTION

No. 779 - 1947

For the vacation of the first alley west of Calhoun Street from the south property line of Berry Street to the north property line of the alley between Berry Street and Wayne Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is deemed necessary to vacate the first alley west of Calhoun Street from the south property line of Berry Street to the north property line of the alley between Berry Street and Wayne Street.

All as shown by a plan of such proposed alley vacation as above described now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said vacation as above described shall be assessed against the property owners beneficially affected thereby.

The property which may be injuriously affected by the proposed alley vacation as above described, is described as follows: Lots numbered one hundred five (105) Original Plat, also lots numbered one to six (1 to 6) inclusive, subdivision of Lot No. 106 Original Plat, said Addition and subdivision aforementioned being in the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations" approved March 6, 1905 and the provisions of all acts amendatory thereto and supplements thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten (10) equal installments with interest at the rate of five (5%) per centum per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from said property owner or owners for said alley vacation, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the said city from assessments for such property damages or such moneys as said city is by above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of said streets and lots and lands affected by the above described alley vacation being situated in the southeast quarter (SE $\frac{1}{4}$ ) of Section two (2) Township thirty north (T.30 N), Range twelve east (R.12 E), and lying within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

ADOPTED THIS 30th DAY OF September, 1947

ATTEST:

Helan W. Sweet

Secretary

Frank W. Menze  
John H. Johnson  
BOARD OF PUBLIC WORKS

66'

BERRY

ST.

66'



CALHOUN ST.

66





City Of Fort Wayne



CITY PLAN COMMISSION  
GEO. C. HAYWARD  
PLANNING DIRECTOR

CITY HALL  
FORT WAYNE 2, INDIANA

May 14, 1947

TO THE BOARD OF PUBLIC WORKS  
FROM: City Plan Commission.

RECOMMENDATION ON PETITION FOR VACATION  
OF FIRST NORTH-SOUTH ALLEY WEST OF  
CALHOUN STREET, RUNNING SOUTH FROM BERRY  
STREET.

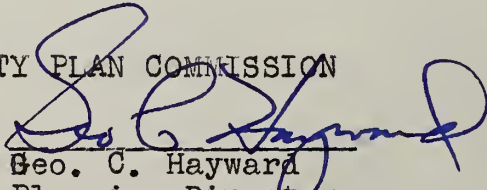
In compliance with your request, the City Plan Commission took action in regard to the above described matter at its meeting of May 12, 1947.

It was observed that the alley's narrow width and its being dead end, insofar as trucks are concerned, practically eliminates its use for loading and unloading. The alley also prevents consolidation of properties into parcels of adequate depth appropriate to the central business district. It was further observed, however, that the alley is indispensable as a right-of-way for electric power and telephone lines.

Action was to the effect that the Commission is in favor of the vacation but not until the utilities are located in the right-of-way of other public property, the cost of which should be borne by the owners of the abutting properties.

CITY PLAN COMMISSION

BY

  
Geo. C. Hayward  
Planning Director.

GCH/HWS

June 30, 1947

Mr. E. H. Kilbourne  
1825 Lincoln Bank Tower  
Fort Wayne, Indiana

Dear Sir:

This is to verify the telephone conversation Mr. Chaney had with you this week in the proposal you have for vacating the alley behind Wallgreen's Drug Store at Calhoun and Berry. We find that the following utilities are involved. We have also estimated with the aid of Mr. Schonefeld of the Indiana Service Corporation and Mr. Ralph Johnston of the Home Telephone & Telegraph, that the cost would be approximately as set forth:

City Light for underground conduit	\$2900.
Indiana Service Corp. for underground	<del>1500.</del> - (C)
Home Telephone & Telegraph for telephone cable	<del>1000.</del> 946.70
	Education 50.00

There is also in the alley a small sewer which we believe to be an 8" private one and which apparently is only for storm run-off purposes since it is only 5' 6" deep. We believe most of the sanitary sewer collections from the buildings in this block are connected from Calhoun Street.

We ask that you please keep us advised of such of your plans as may materialize through the Board of Public Works and if you care for further discussion on any of the items involved, please call us.

*Heik*  
Chief Engineer

HKerby:jt

cc:Mr. Adams ✓  
Board of Public Works



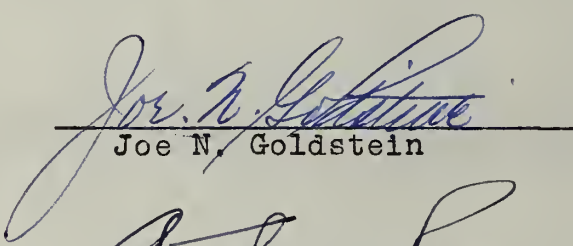
November 20, 1947  
Fort Wayne, Indiana

Board of Public Works  
101 City Hall  
300 East Berry Street  
Fort Wayne, Indiana

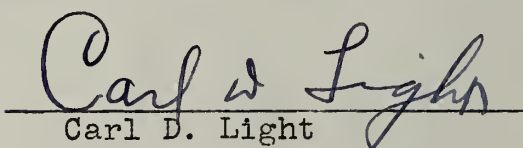
Gentlemen:

We the undersigned have thoroughly investigated the vacating of the alley lying west of Calhoun Street running from the south side of Berry to the north side of the east and west alley lying south of Berry Street and find that the benefits derived from the closing of this alley greatly exceeds the damages as it affects the property known as:

The south 40 feet of the north 90 feet  
of Lot #106 in the Original Plat of the  
Town, now City of Fort Wayne, Allen County,  
Indiana.

  
Joe N. Goldstein

  
Arthur W. Rose

  
Carl D. Light

INDIANA *Service* CORPORATION  
TRACTION LIGHT

2101 SPY RUN AVE.  
FORT WAYNE, INDIANA

December 4, 1947

Board of Public Works  
City of Fort Wayne  
City Hall  
Fort Wayne 2, Indiana

Gentlemen:

This is to advise you that, in the action taken to vacate the alley immediately west of Calhoun Street and extending south from Berry Street to the first alley south of Berry Street, there will be no claim by the Indiana Service Corporation to reimburse it for the cost of removal of its facilities from said alley.

Yours very truly,

INDIANA SERVICE CORPORATION

By J. Calvin Hill  
J. Calvin Hill, Vice President

JCH:jm

# THE HOME TELEPHONE AND TELEGRAPH COMPANY

303 EAST BERRY STREET

TELEPHONE ANTHONY 9411



FORT WAYNE 2, INDIANA

December 3, 1947

Board of Public Works  
City Hall  
Fort Wayne, Indiana

Gentlemen:

This is with reference to the Declaratory Resolution No. 779 concerning the vacation of the first alley west of Calhoun Street from the south property line of Berry Street to the north property line of the alley between Wayne Street and Berry Street.

The Home Telephone and Telegraph Company is willing to consent to the vacation of this alley provided it is given a Right-of-Way to place, extend and maintain its facilities over, on and in the area of the vacated alley and premises adjacent thereto as may be required from time to time in order to furnish service to its present and future subscribers, and further provided that the company is reimbursed for the expenditure required to remove, relocate and rearrange its underground conduit and cable facilities, which work will be made necessary because of the vacation of the present alley. It is estimated that the cost of rearranging our plant will be \$996.70.

Yours very truly,

THE HOME TELEPHONE & TELEGRAPH CO.



President

FEB:ju



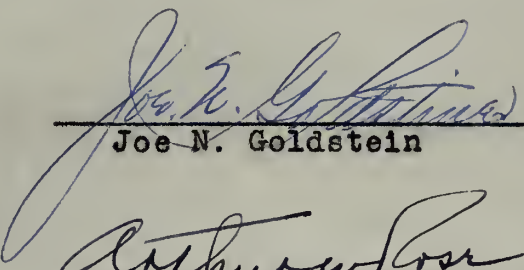
November 20, 1947  
Fort Wayne, Indiana

Board of Public Works  
101 City Hall  
300 East Berry Street  
Fort Wayne, Indiana

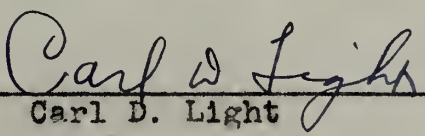
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Indiana.

  
Joe N. Goldstein

  
Arthur W. Rose

  
Carl D. Light

November 20, 1947  
Fort Wayne, Indiana

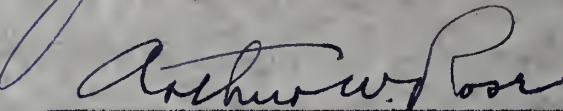
Board of Public Works  
101 City Hall  
300 East Berry Street  
Fort Wayne, Indiana

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The south 40 feet of the north 90 feet  
of Lot #106 in the Original Plat of the  
Town, now City of Fort Wayne, Allen County,  
Indiana.

  
Joe N. Goldstein

  
Arthur W. Rose

  
Carl D. Light



June 30, 1947

Mr. E. H. Kilbourne  
1825 Lincoln Bank Tower  
Fort Wayne, Indiana


Dear Sir:

This is to verify the telephone conversation Mr. Chaney had with you this week in the proposal you have for vacating the alley behind Wallgreen's Drug Store at Calhoun and Berry. We find that the following utilities are involved. We have also estimated with the aid of Mr. Schonefeld of the Indiana Service Corporation and Mr. Ralph Johnston of the Home Telephone & Telegraph, that the cost would be approximately as set forth:

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There is also in the alley a small sewer which we believe to be an 8" private one and which apparently is only for storm run-off purposes since it is only 5' 6" deep. We believe most of the sanitary sewer collections from the buildings in this block are connected from Calhoun Street.

We ask that you please keep us advised of such of your plans as may materialize through the Board of Public Works and if you care for further discussion on any of the items involved, please call us.

  
Chief Engineer

HKerby:jt

cc:Mr. Adams  
Board of Public Works ✓



PETITION FOR VACATION OF ALLEY

TO THE HONORABLE BOARD OF WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned hereby respectfully petitions your Honorable Board for the adoption of a Resolution calling for the vacation of the following described Public Alley or Highway:

The first alley or highway west of Calhoun Street in said City running north and south from the south property line of Berry Street to the north property line of the first east and west public alley lying south of said Berry Street and running from Calhoun Street to Harrison Street.

Respectfully submitted,

Edgar H. Kibourne

3/20/47

PETITION FOR VACATION OF ALLEY

TO THE HONORABLE BOARD OF WORKS OF THE CITY OF FORT WAYNE,

Gentlemen:

The undersigned hereby respectfully petitions your Honorable Board for the adoption of a Resolution calling for the vacation of the following described Public Alley or Highway:

The first alley or highway west of Calhoun Street in said City running north and south from the south property line of Berry Street to the north property line of the first east and west public alley lying south of said Berry Street and running from Calhoun Street to Harrison Street.

Respectfully submitted

Robt M. Pollak

Dated this 1<sup>st</sup> day of May, 1944.

PETITION FOR VACATION OF ALLEY

TO THE HONORABLE BOARD OF WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned hereby respectfully petitions your Honorable Board for the adoption of a Resolution calling for the vacation of the following described Public Alley or Highway:

The first alley or highway west of Calhoun Street in said City running north and south from the south property line of Berry Street to the north property line of the first east and west public alley lying south of said Berry Street and running from Calhoun Street to Harrison Street.

Respectfully submitted

James A. Riegel

Dated this 26<sup>th</sup> day of February, 1945.





REI AEL

PETITION FOR VACATION OF ALLEY .

TO THE HONORABLE BOARD OF WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned hereby respectfully petitions your Honorable Board for the adoption of a Resolution calling for the vacation of the following described Public Alley or Highway:

The first alley or highway west of Calhoun Street in said City running north and south from the south property line of Berry Street to the north property line of the first east and west public alley lying south of said Berry Street and running from Calhoun Street to Harrison Street.

Respectfully submitted

James H. Barnett

Dated this 18<sup>th</sup> day of February, 1944.



PETITION FOR VACATION OF ALLEY.

TO THE HONORABLE BOARD OF WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned hereby respectfully petitions  
your Honorable Board for the adoption of a Resolution calling  
for the vacation of the following described Public Alley or  
Highway:

The first alley or highway west of Calhoun Street in said City running north and south from the south property line of Berry Street to the north property line of the first east and west public alley lying south of said Berry Street and running from Calhoun Street to Harrison Street.

Respectfully submitted

ly submitted

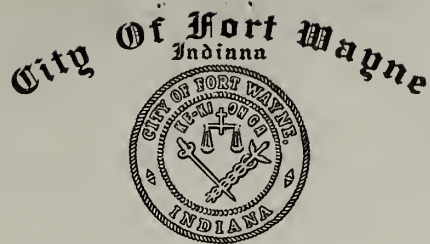
Walter W. Wood, Jr.  
Trustee of the Estate of  
Henry W. Wood, Jr.  
Deceased

Dated this 27<sup>th</sup> day of March, 1944.



I have been thinking of you  
 and wondering how you are getting on.  
 I hope you are well and happy.  
 I have been very busy lately  
 but I will write to you again soon.  
 Love,  
 Fossett





OFFICE OF  
BOARD OF PUBLIC WORKS

September 4, 1947

FORT WAYNE, INDIANA

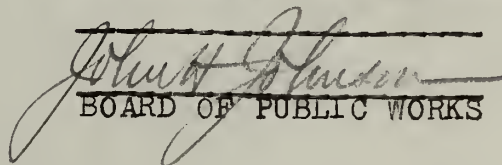
Mr. Chauncey R. McAnlis  
City Engineer  
Fort Wayne, Indiana

Dear Sir:


You are hereby instructed to prepare plans for the vacation of the first alley or highway west of Calhoun Street from the south property line of Berry Street to the north property line of the first east and west alley lying south of said Berry Street from Calhoun Street to Harrison Street.

Yours truly,

  
\_\_\_\_\_  
CITY ENGINEER

  
\_\_\_\_\_  
BOARD OF PUBLIC WORKS

ATTEST:

  
\_\_\_\_\_  
Secretary

HWS:hs

DECLARATORY RESOLUTION No. \_\_\_\_\_ 1947

For the vacation of the first alley west of Calhoun Street from the South Property Line of Berry Street to the North Property Line of the alley Between Berry Street and Wayne Street, ~~running east and west.~~

~~Resolved by the~~ Board of Public Works of the City of Fort Wayne, Indiana that it is deemed necessary to vacate the first alley west of Calhoun Street from the North Property Line of Berry Street to the North Property Line of the Alley between Berry Street and Wayne Street, ~~running east and west.~~

All as shown by a plan of such proposed alley vacation as above described now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said vacation as above described shall be assessed against the property owners beneficially affected thereby.

The property which may be injuriously affected by the proposed alley vacation as above described, is described as follows: Lots numbered one hundred five ( 105 ) Original Plat, also lots numbered one to six inclusive ( 1 to 6 ), Subdivision of Lot No. 106 Original Plat, said Addition and Subdivision aforementioned being in the City of Fort Wayne, Indiana.

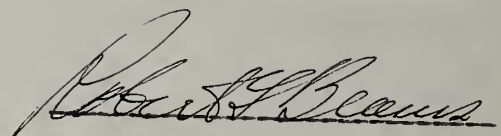
All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled " An Act Concerning Municipal Corporations " approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

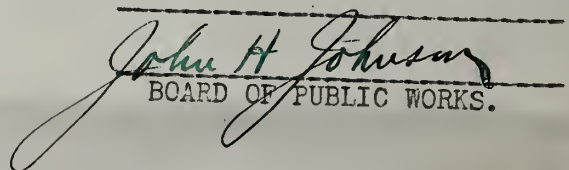
Assessments if deferred are to be paid in ten ( 10 ) equal installments with interest at the rate of five ( 5% ) per centum per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible <sup>alley vacation</sup> for any sum or sums due from said property owner or owners for said condemnation of property, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the said city from assessments for such property damages or such moneys as said City is by above entitled act Required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

All of said streets and lots and lands affected by the above described alley vacation being situated in the South East Quarter (SE $\frac{1}{4}$ ) of Section two (2) Township Thirty North (T.30N.), Range Twelve East (R.12 E), and lying within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1947

ATTEST: \_\_\_\_\_  
Secretary



  
BOARD OF PUBLIC WORKS.

Fort Wayne, Indiana

December 18<sup>th</sup>, 1947

TO THE BOARD OF PUBLIC WORKS  
OF THE CITY OF FORT WAYNE -

Gentlemen:

The undersigned owners of Lot Numbered 3 of the Subdivision of Lot Numbered <sup>106</sup> of the Original Plat to the City of Fort Wayne on the East side of the alley herein vacated respectfully remonstrate against the assessment of benefits for the vacation of the first alley West of Calhoun Street from the South property line of Berry Street to the North property line of the alley between Berry Street and Wayne Street, for the reason that no damages were assessed or awarded to these owners.

These owners are entitled to have benefits assessed or awarded to them in the sum of \$ 5000.<sup>00</sup> for the following reasons:

1. The other property owners abutting on this vacated alley have side entrances to their properties by other streets or alleys.
2. The property of the undersigned is so located that when said alley is physically vacated, they will have no side entrances and will have only one entrance; namely, on Calhoun Street.
3. All coal, merchandise, garbage, trash, etc., will have to be brought in or taken out by the front doors on Calhoun Street or a basement excavated under the side walk and entrances made in the side walk on Calhoun Street, and in either case, business will be greatly and detrimentally affected.



4. In the property now occupied by Cousins, Inc. a new coal bin will have to be constructed at the front of the property, and all coal will have to be wheeled from the front to the rear of the property where the furnace is located, or a new furnace will have to be installed in the front of said property at great expense.

5. The vacation of this alley will decrease the amount of light and air available to the tenants.

6. The vacation of this alley will increase the fire hazard to this property because fire-fighting equipment cannot get to the rear of the buildings. This will, in turn, increase insurance rates.

7. Because of the heavy traffic on Calhoun Street, it will be inconvenient, and at times hazardous, to use the Calhoun Street entrance, for deliveries and outgoing items.

8. That because of all of the above, the rental value of said property will be greatly diminished, to the great loss of the undersigned.

WHEREFORE, the undersigned remonstrate and pray that their damages be assessed at \$ 5000<sup>00</sup>.

Evelyn C. Craig

Jan E. Craig  
Bliss Cortis

Samuel D. Jackson



Return to  
Vault



# REMONSTRANCE

Fort Wayne, Ind., October 17th, 1947

To the Board of Public Works of the City of Fort Wayne:

#779

Gentlemen:

The undersigned, owners of real estate respectfully remonstrate against the passage of a resolution providing for the

vacating of alley west of Calhoun Street from the south property line of Berry Street to the north line of the alley between Berry Street and Wayne Street

NOTE: In case of joint deeds both husbands and wives must sign with their respective legal signatures.

NAME

ADDRESS

Evelyn M. Craig  
Evelyn C. Craig

4223 Country Club Dr.  
Long Beach Calif.

4223 Country Club Drive  
Long Beach, Calif.

Peter M. Cortis

1015 Ewing Street  
Fort Wayne Indiana

---

**Remonstrance  
Against Passage**

of a Resolution for

Vacating of alley west of

Calhoun Street from the south

property line of Berry Street

to the north line of the alley  
between Berry Street and Wayne  
Street  
from

to \_\_\_\_\_

Filed with the Board of Public Works

City Of Fort Wayne  
Indiana



OFFICE OF  
BOARD OF PUBLIC WORKS

November 18, 1947

FORT WAYNE, INDIANA

Mr. Chauncey R. McAnlis  
City Engineer  
Fort Wayne, Indiana

Dear Sir:

You are hereby instructed to prepare an assessment roll of benefits and damages for Declaratory Resolution Number 779-1947, which provides for the vacation of the first alley west of Calhoun Street from the south property line of Berry Street to the north property line of the alley between Berry Street and Wayne Street.

Yours truly,

ATTEST:

Allen W. Sweet  
Secretary

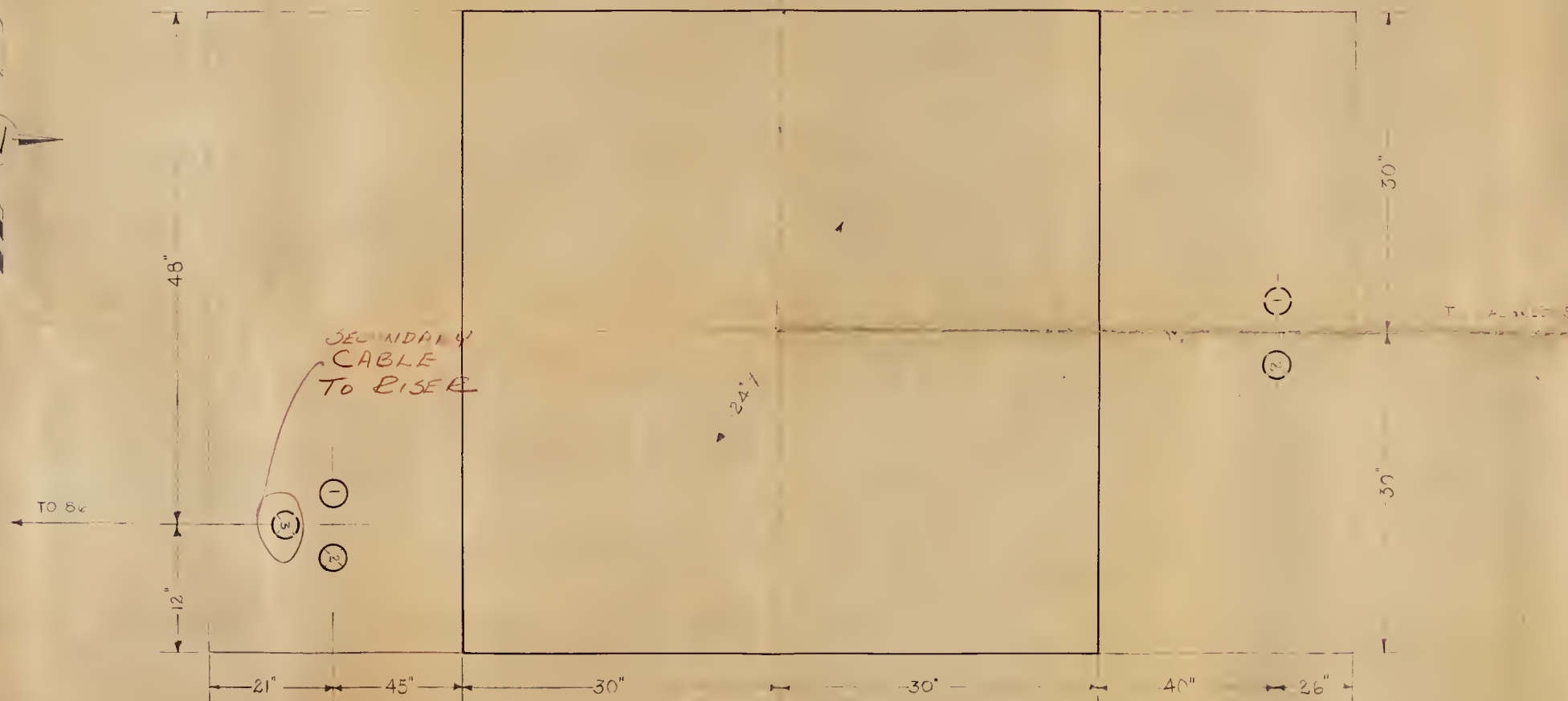
Robert H. Shuman  
BOARD OF PUBLIC WORKS

HWS:hs



# MANHOLE N<sup>o</sup> 87

SEE DRWG. N<sup>o</sup> 10054



○ SERVICE DUCT  
○ MAIN DUCT

CITY LIGHT & WATER UTILITIES  
FORT WAYNE, INDIANA

MANHOLE ARRANGEMENT

DATE 1-27-38 SCALE

DRAWN BY E.R.C.

TRACED BY E.R.C. CHECKED BY

APPROVED BY

DRAWING N<sup>o</sup> X-10079

IN ALL 1/2 S. OF BEERY, WEST OF CALHOUN



BERRY

STREET

BALTES HOTEL

BERGHOFF  
GRILL

NIFTY CLUB  
SHOP GRILL

BERGHOFF GARDENS

FORT WAYNE NATIONAL BANK

SEARS ROEBUCK & CO.

BILLIARD

STREET

13 DUCT BANK

6 DUCT BANK

4 DUCT BANK

89

57'

DU

30'

89'-0"

90

IN BASEMENT  
ALSO SERVES S&B

IN BASEMENT

P. V. SE-1, 4-2-0

ENTER 86 1, 4 2-0

12 DUCT BANK

KROGER PARKING LOT

KROGER GROC.

SUEDHOFF  
& BUTLER

THE BON-TON

STANDARD QUALITY  
RUG CO. MARKET

HARVEY  
BROTHERS

HOWARD'S MAY  
CAMERA SP. CA

HARRISON

WAYNE

STREET

378

TO 110

TO 70

289'-6"

146'-6"



STREET

NIFTY CLUB SPRINGER  
SHOP GRILL JEWELER

WALGREEN DRUG STORE

IN BASEMENT

OVERHD SERV.  
51ST FL.

COUSINS INC.

COLBY'S DRESS SHOP

AVON APPAREL SHOP

ALLEN'S SHOE STORE

REED SHOE STORE

BILLIARD ROOM

SEARS ROEBUCK & CO.

STREET

6 DUCT BANK

DUCT 3/4 CUT OFF

4-DUCTS

5 DUCT BANK

RISER

5 DUCT BANK

85

KOERBER JEWELRY

SAUER JEWELRY CO.

ROGERS OPTICAL CO.

DURABELL HOSE

NUT HOUSE

CARL ROSE JEWELRY

HANOVER SHOES

ROY STEELE

BAZLEY'S  
MARKET

STANDARD QUALITY HARVEY HOWARD'S MAY-FAIR  
RUG CO. MARKET BROTHERS CAMERA SP. CAFE

CALHOUN

6 DUCT BANK

MAUD MULLER

MANO-  
CHIO'S

JACK LORD HATS

STREET

CITY LIGHT & WATER UTILITIES  
FORT WAYNE, INDIANA

UNDERGROUND MANHOLES AND DUCTS IN BLOCK  
BOUNDED BY WAYNE, HARRISON, BERRY & CALHOUN

2-11-38

1-15'

ERC

Y-10056

